

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

GERARDO HERRERA,

Plaintiff,

v.

CV No. 20-142 CG/GBW

BERKLEY REGIONAL INSURANCE  
COMPANY,

Defendant.

**ORDER GRANTING IN PART UNOPPOSED MOTION TO BIFURCATE  
AND STAY DISCOVERY AND PROCEEDINGS**

**THIS MATTER** is before the Court on Defendant Berkley Regional Insurance Company's *Unopposed Motion to Bifurcate and Stay Discovery and Proceedings as to Plaintiff's Extra-Contractual Claims* (the "Motion"), (Doc. 19), filed April 20, 2020. The Court, after reviewing the Motion and conferring with the parties, finds the Motion is well-taken and shall be **GRANTED IN PART**.

**IT IS THEREFORE ORDERED** that:

1. The request to bifurcate discovery is moot in light of the discovery plan adopted by the referral judge at the April 14, 2020, scheduling conference.
2. The trial shall proceed in a bifurcated fashion with the contractual claims heard first by the trier of fact and the extra-contractual claims heard thereafter by the same trier of fact.

**IT IS SO ORDERED.**



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THE HONORABLE CARMEN E. GARZA  
CHIEF UNITED STATES MAGISTRATE JUDGE